

**APPROVED**



**SCOTTSDALE DEVELOPMENT REVIEW BOARD  
KIVA - CITY HALL  
3939 N. DRINKWATER BOULEVARD  
FEBRUARY 10, 2005  
MINUTES**

**PRESENT:** Betty Drake, Council Member  
E.L. Cortez, Vice Chairman  
Steve Steinberg, Commission Member  
Michael D'Andrea, Design Member  
Jeremy Jones, Design Member  
Kevin O'Neill, Design Member  
Michael Schmitt, Design Member

**STAFF:** Tim Curtis  
Suzanne Colver  
Lusia Galva  
Randy Grant  
Al Ward  
Bill Verschuren

**CALL TO ORDER**

The regular meeting of the Scottsdale Development Review Board was called to order by Councilwoman Drake at 1:00 p.m.

**ROLL CALL**

A formal roll call confirmed members present as stated above.

**OPENING STATEMENT**

**COUNCILWOMAN DRAKE** read the opening statement that describes the role of the Development Review Board and the procedures used in conducting this meeting.

**MINUTES APPROVAL**

January 27, 2005 DRB Minutes

**VICE CHAIRMAN CORTEZ MADE A MOTION TO APPROVE THE JANUARY 27, 2005, MEETING MINUTES AS PRESENTED. SECOND BY MR. JONES.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

**COUNCILWOMAN DRAKE** stated cases 82-DR-2003#2, 87-DR-2004 and 118-DR-2004 has been moved from the consent to the regular agenda.

**CONSENT AGENDA**

82-DR-2003#2	6825 E. 5 <sup>th</sup> Ave. Remodel Change previously approved building colors 6928 E. 5 <sup>th</sup> Ave Phoenix Design Group LLC, Architect/Designer
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(PULLED TO REGULAR AGENDA)

27-PP-2004	DC Ranch Parcel T4 Preliminary Plat E. Horseshoe Canyon DR/E Thompson Peak Espiritu Loci, Inc., Architect/Designer
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87-DR-2004	North Scottsdale Mercado Site Plan and Elevations SEC Thompson Peak Pkwy & Hayden Rd Butler Design Group, Architect/Designer
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(PULLED TO REGULAR AGENDA)

101-DR-2004	McDowell Mountain Commerce Center Site Plan and Elevations 16537 & 16585 N. 92 <sup>nd</sup> Street James Elson Architect, Architect/Designer
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104-DR-2004	Pima Rd / Legend Trail Parkway WCF Wireless Communication Facility (WCF) to
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be located on a new traffic signal  
NWC of Pima Rd & Legend Trail Parkway  
(Westland Rd)  
A & E Services, Architect/Designer

(COUNCILWOMAN DRAKE OPENED PUBLIC TESTIMONY.)

**TIM MONTGOMERY**, 34894 N. 92<sup>nd</sup> Place, representing Volunteers at Scenic Pima Road and Legend Trail Community Association, stated they want to uphold the scenic corridor standards. He further stated that it was his understanding that the initial plan was for the cell phone assembly to be incorporated into the street light assemblage. He noted this area is a designated scenic corridor in the City of Scottsdale. He further noted he would like to see a screen on the new cell tower grouping. He inquired why they are moving ahead with the stoplight if indeed the cell tower is suppose to be part of that grouping.

(COUNCILWOMAN DRAKE CLOSED PUBLIC TESTIMONY.)

**MR. VERSCHUREN** explained the proposed equipment cabinet is 2 feet tall and 10 feet wide and four feet in width so there would be no need for a large equipment screen around it. It will be screened by large rocks and landscaping. It is built in a swell area.

**RANDY DOWNING**, Infranext Inc., stated this site was originally designed with the City of Scottsdale Planning and we were advised the best way to screen the equipment would be with the boulders in front of the equipment which sits next to transformers that are larger than our equipment. They will also add plants to conceal the equipment and it sits in a swell. He provided information on the reason why the traffic signal was being developed at different times. He added that all citizens within 750 feet were notified. He concluded they are willing to work with the homeowners to make this look the best it can.

118-DR-2004

Turquesa Equestrian Center  
Site Plan and Elevations  
28701 N. 70<sup>th</sup> Street  
Volmer Associates, Architect/Designer

(PULLED TO REGULAR AGENDA)

**MR. JONES MOVED TO APPROVE CASES 27-PP-2004, 101-DR-2004 AND 104-DR-2004. SECOND BY MR. STEINBERG.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

## **REGULAR AGENDA**

82-DR-2003#2

6825 E. 5<sup>th</sup> Ave. Remodel  
Change previously approved building colors  
6928 E. 5<sup>th</sup> Ave  
Phoenix Design Group LLC,  
Architect/Designer

**MR. VERSCHUREN** presented this case as per the project coordination packet. Staff recommends denial of the proposed building colors (Golden Glow, Dusty Yellow and Mom's Pumpkin Pie). Staff recommends approval of the previously approved building colors (Sandy Cove and Camelcoat).

**VICTOR OLSON**, Phoenix Design Group, 10245 E. Via Linda, requested approval of the revised color change. He stated that we are aware of the Downtown Guidelines and would like to argue that the guidelines for muted earth tones and tans and whites is perpetuating the dead theme and the Owner is more interested in a lively theme for his building. The purpose of the request is to make the building look better than we had originally colored and designed it.

**CHUCK VAN LEER** stated that he and his Designer tried to choose the colors that would look the best on the building. He presented information on the neighborhood support of the design as it currently is done in the field.

**MR. D'ANDREA** stated that he likes the colors better than what was approved but expressed his concern regarding the process not being followed. He inquired how this type of situation could be prevented. Mr. Verschuren reviewed the process for the applicant to make changes after a DR Board approval.

**MR. JONES** stated he would like to let staff know that the Board is very interested in color and the creative use of color.

**VICE CHAIRMAN CORTEZ** expressed his concern that the process was not followed. He also expressed his concern regarding setting precedence. He stated that he could not imagine an entire building being painted with a complete different color palette prior to staff being notified. He further stated that he did not care for the entire color scheme. He remarked that he thought it was imperative that this Board takes a stance with regard to ensuring that the projects that are approved are implemented as approved unless we are notified prior to the changes being made. He concluded that he would not support the Applicant's request and take the staff recommendation of denial.

**MR. SCHMITT** stated that he prefers the color scheme. However, he would have liked the opportunity to comment on the colors before being applied to the

building. He expressed his concern that the process was not followed. He concluded that he would not support the Applicant's request.

**MR. O'NEILL** stated that he felt this was one of best looking buildings on 5<sup>th</sup> Avenue and felt the colors were going in the right direction. He further stated to look for forgiveness is always a bad decision but in the end, he appreciates the colors and would support the new color palette.

**MR. JONES MOVED TO APPROVE CASE 82-DR-2003# 2 THAT RECOGNIZING THE CAPABILITY OF STAFF TO NOTICE CHANGE FROM ANY APPROVED ASPECT OF A PROJECT. AND ON STRICTLY THE MERITS SUPERIOR COLOR CHANGE. AND TO SEND A SIGNAL TO FUTURE DEVELOPERS IN THIS AREA THAT THE BOARD IS INTERESTED IN MORE INTERESTING COLOR PALETTES. WOULD MOVE APPROVAL OF THE NEWLY APPLIED COLORS. SECOND BY MR. O'NEILL.**

**THE MOTION PASSED BY A VOTE OF FOUR (4) TO THREE (3) WITH VICE CHAIRMAN CORTEZ, MR. D'ANDREA, AND MR. SCHMITT DISSENTING.**

87-DR-2004

North Scottsdale Mercado  
Site Plan and Elevations  
SEC Thompson Peak Pkwy & Hayden Rd  
Butler Design Group, Architect/Designer

(COUNCILWOMAN DRAKE DECLARED A CONFLICT AND DID NOT PARTICIPATE IN THE DISCUSSION OR VOTE.)

**MS. COLVER** presented this case as per the project coordination packet. She reported that she received an email during the break between the study session and regular meeting from the Grayhawk HOA representative regarding building heights and towers. Staff recommends approval, subject to the attached stipulations.

**MR. JONES** stated he would rather not see flat cut outs pressed against the bigger building. The Designer of the building has agreed to change that and he wants that to be a stipulation of approval.

**MR. D'ANDREA** stated there is no ornamentation on the north elevation and he would like to see something done to enhance the back of the building.

**GARY PETERSON**, Peterson Group inc., 2800 N. Central, Phoenix, AZ, reviewed the cross sections for Shops A. He reviewed the elevations. He discussed the landscape screening.

**PETER HOSMER**, Butler Design Group, reported that the entire site drops off significantly from the residential lots and you will not see the back of the parapets at the same height if you were on the commercial property. What we suggest is that we could break up the color massing and add new colors to break up the long monotonous beige and add an element down the wall to break up the mid section. Mr. D'Andrea suggested sticking with same architecture vocabulary.

**MR. JONES** stated it should not be obtrusive and plain from the backside and he would prefer not to change colors along the horizontal plain where the wall is flat. Just add a few more details and a little more interest from the vocabulary you already have. He further stated regarding the two front stone walls the main thing we are concerned about is that decoration are applied against the wall.

**MR. SCHMITT** requested clarification on the colors. Ms. Colver passed out color samples noting they are close to the color renderings that were provided.

**MR. PETERSON** stated that there are some stipulations that we cannot comply with literally. He requested the following changes:

Stipulation No. 4: The face of the service entrance section(s) shall be flush with the building façade and painted to match the building **or otherwise appropriately screened.**

Stipulation No. 15: Future drive-through uses shall be oriented away from residential. **This issue not be restricted and be addressed if and when we come forward with a drive-through use.**

Stipulation No. 36: Parking lot light poles shall be located within landscape planters. **The broad requirement is difficult to comply with.**

Stipulation No. 42 d: Parking lot luminaries shall be mounted with house-side shields. **Limit to parking lot lights that have impact on neighborhoods.**

**MS. COLVER** provided input on the recommendations made by the applicant on the changes to the stipulations. The Board members' provided their input on the proposed changes to the stipulations.

(MR. STEINBERG LEFT AT 2:15 PM.)

**VICE CHAIRMAN CORTEZ** requested additional information regarding the email from the HOA regarding the heights of the towers. Mr. Peterson stated that the HOA felt the heights are too high. He reviewed the heights of the towers on the building. He reported the heights of the ornamental towers are within the code.

**MR. JONES MOVED TO APPROVE CASE 87-DR-2004 WITH FOLLOWING STIPULATIONS:**

- 1) THE NEW COLOR SCHEME BE THE ACCEPTED COLOR SCHEME.
- 2) THE REVISED NORTH ELEVATIONS BE BROUGHT BACK TO A STUDY SESSION FOR REVIEW. WHERE WE WOULD LIKE TO SEE ADDITIONAL DETAIL AND MORE USE OF WILD DUNES DARKER COLOR. PROPOSED CHANGE FOR STONE APPLICATION ON BOTH SIDES OF THE FRY'S CENTER.
- 3) REMOVE STIPULATION NO. 4 REGARDING THE FLUSH ENTRY SECTIONS SO LONG AS THEY ARE SCREENED.
- 4) REMOVE STIPULATION NO. 15 REGARDING THE DRIVE-THROUGH USES BUT AT THE SAME TIME POINTING OUT THAT ANY SUCH USES WILL REQUIRE REVIEW BY THE DEVELOPMENT REVIEW BOARD AND AT THAT TIME WE WILL DETERMINE WHAT IT MEANS TO BE ORIENTED AWAY FROM THE RESIDENTIAL EXPOSURE. AND WITH THE UNDERSTANDING THAT RESIDENTIAL NEEDS TO BE BUFFERED FROM THESE USES.
- 5) MODIFY STIPULATION NO. 36, STATING LIGHTS DO NOT NEED TO BE IN PLANTERS BUT DO NEED TO BE PROTECTED FROM COLLISION.
- 6) MODIFY WORDING OF STIPULATION NO. 42 D TO BE CONSISTENT WITH OTHER PROJECTS WHERE THE LIGHTS ARE SHIELDED WHERE THEY WOULD EFFECT RESIDENTIAL PROPERTY.

**MR. D'ANDREA** stated that he would like to clarify that it is the southwest elevation of Fry's Market Place and north elevations of the Shops A. Mr. Jones replied in the affirmative.

**SECOND BY MR. D'ANDREA.**

**THE MOTION PASSED BY A VOTE OF FIVE (5) TO ZERO (0) WITH COUNCILWOMAN DRAKE ABSTAINING.**

118-DR-2004

Turquesa Equestrian Center  
Site Plan and Elevations  
28701 N. 70<sup>th</sup> Street  
Volmer Associates, Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**MR. D'ANDREA** inquired about why the sport court was located where it is because of its proximity to a road presents safety problems.

**DON ALLISON**, 7608 E. Hunter Court, discussed the orientation of sport court noting the end of the basketball court would not face the street it sides to the street.

**MR. D'ANDREA** stated the galvanized material might be shiny and maybe that can be addressed. Mr. Jones stated the sample is too shiny and if is treated will dull overtime.

**COUNCILWOMAN DRAKE** asked several questions regarding the layout of the facility. Mr. Allison reviewed the layout of the facility.

**MR. D'ANDREA MOVED TO APPROVE CASE 118-DR-2004 WITH THE REVISED STIPULATIONS AND THE ADDED STIPULATION THAT THE APPLICANT REVIEW WITH STAFF A TREATED GALVANIZED OR POWDER COATED OR PAINTED ROOF SOLUTION. SECOND BY VICE CHAIRMAN CORTEZ.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

69-DR-2004

Mark Kia Auto Showroom & Service Center  
Site Plan and Elevations  
1000 N. Scottsdale Road  
Marc Architecture, Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**MR. JONES** commented that he had a difficult time when working through the plans trying to determine what was new and what was existing. Mr. Ward reviewed the proposed changes to the site. Mr. D'Andrea stated that he felt the submittal could have been labeled better.

**MARK LYMER**, Marc Architecture, reviewed the perspective. He responded to comments and questions from the Board regarding the site plan.

**MR. D'ANDREA MOVED TO CONTINUE CASE 69-DR-2004 TO HAVE THE APPLICANT FURTHER CLARIFY THE DETAILS AND DRAWINGS OF THE PACKAGE. SECOND BY MR. JONES.**

The Board provided the applicant with the input of what they would like to see in two weeks when the case is brought before them.

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**



115-DR-2004

Thunderbird Academy WCF Installation of 2  
additional dish antennas to existing water  
tower WCF  
7401 E. Redfield Road  
FM Group, Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**VICE CHAIRMAN CORTEZ** inquired if applicant considered another mechanism to visually conceal the antennas.

**WARREN SAMBACH**, FM Group, 2944 N. 44<sup>th</sup> Street, Phoenix, AZ, replied this is encased plastic microwave dish that does have the drum affect and is sleek in design and will be painted the color of the existing tower. They are point to point contact dish between the previous microwave tower and this tower and is part of Nationwide network.

**MR. JONES MOVED TO APPROVE CASE 115-DR-2004 AS A NEEDED UTILITY FOR OUT CITY. SECOND BY MR. O'NEILL.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

2-DR-2005

Arcadia Commons  
Color changes, upgrade/replace wall-  
Mounted shade canopies, revise  
landscaping and median cut on 64<sup>th</sup> street  
6401 E. Thomas Rd  
Cawley Architects Inc., Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**VICE CHAIRMAN CORTEZ** inquired where the installation of the left-hand turn would occur. Mr. Ward replied on 64<sup>th</sup> Street for southbound traffic.

**MR. O'NEILL** inquired if these types of traffic issues are within the purview of the DR Board. Councilwoman Drake explained the Board will not take action on what the City is doing with regard to 64<sup>th</sup> Street that is a separate project. This is for information only.

**PAUL PEREL** stated he is the Traffic Engineering Director for the City of Scottsdale. He further stated the Applicant has requested some site access improvements. He responded to comments and questions from the Board

regarding the median cut on 64<sup>th</sup> Street for southbound vehicular access to the property for left turns into the site.

**COUNCILWOMAN DRAKE** stated that this Board is not taking action on the approval of the 64<sup>th</sup> Street median cut their purview is only for the building modifications. Ms. Galav replied in the affirmative.

**SHERMAN CAWLEY**, Cawley Architects, stated the colors of the building will be upgraded and they are trying to create a neutral background for the landscape update.

(COUNCILWOMAN DRAKE OPENED PUBLIC TESTIMONY.)

**KIMBALL ROSE**, 6419 E. Windsor, stated the site has been terrible for at least 40 years. He further stated the card they received included the 64<sup>th</sup> Street median revision. He remarked that he and his neighbors have not been approached by anybody from the city relative to the 64<sup>th</sup> Street median break. He further remarked that his concern was the post and pedestrian walk would be removed and made an access road behind the wall which would be worse than modifying the 64<sup>th</sup> Street revision.

**VAL TRICKEL**, 6402 E. Lewis Avenue, stated that she was speaking on behalf of Craig Shell and Lyle Wurts who were unable to be here today. She reviewed the circulation in this area. She discussed the modifications that have occurred in this area. She reported the design today does not address the issues. The design is a disaster. She discussed the exit and entrance problems. She requested the site plan be denied.

**COUNCILWOMAN DRAKE** asked staff why the 64<sup>th</sup> median break was indicated on the notice card. Ms. Galav stated that it was her understanding it was how the application was titled and that is how it gets transferred on to the cards that we send out to the neighborhood. Councilwoman Drake stated that it is her understanding that the Board is not taking any action relative to the median break. Ms. Galva replied that is correct.

**NANCY BELL**, 6401 E. Windsor Avenue, stated she objects to the median break because the traffic hazard is already very great on 64<sup>th</sup> Street approaching Thomas. She further stated you cannot have a break where you cannot see. She added it is nice to have a neighbor and nice to see the property cleaned up.

**MARK RICHARDS**, 6402 E. Windsor Avenue, stated he lives directly behind the building in question. He spoke in opposition to the median break. He further stated there are 18-wheelers that go down Thomas Road and the exhaust fumes go into his backyard. He noted the break should not be put in because of the

speed of the traffic. He further noted that he felt there should be landscaping in place to protect the privacy of the houses directly behind that building.

(COUNCILWOMAN DRAKE CLOSED PUBLIC TESTIMONY.)

**MR. CAWLEY** stated we would be open to screening. However, the covered parking shown on the site plan already exists and there was no screening with the original project and they are proposing to leave it the way it was originally. There is an alleyway that separates the back of our property to the adjacent residential to the south. At this point the driveway meets the minimum City of Scottsdale requirements and could not be narrowed and that would preclude us from moving the parking spaces further north. He concluded that there does not appear to be a realistic opportunity to provide trees there.

**VICE CHAIRMAN CORTEZ** stated the concern he has is regarding the posting of this case and if the title was mislabeled. Ms. Galva replied she was not sure if it was mislabeled on the posting but Mr. Ward would review the file.

**MR. D'ANDREA** inquired about the light fixtures that are being replaced. Mr. Cawley stated the lights would meet the City Ordinance.

**COUNCILWOMAN DRAKE** suggested the Transportation Department contacts the neighbors and setup meetings to discuss the issues.

**MR. SCHMITT MOVED TO APPROVE CASE 2-DR-2005 WITH THE REVISED STIPULATIONS. SECOND BY MR. JONES.**

**THE MOTION PASSED BY A VOTE OF (6) TO ZERO.**

### **ADJOURNMENT**

With no further business to discuss, the regular meeting of the Scottsdale Development Review Board was adjourned at 3:50 p.m.

Respectfully Submitted

"For the Record" Court Reporters